

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH CONSTANT,

No. 10-50894

Petitioner,

District Judge Stephen J. Murphy, III

v.

Magistrate Judge R. Steven Whalen

UNITED STATES CITIZENSHIP
AND IMMIGRATION SERVICE,

Respondent.

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ORDER

Petitioner Joseph Constant has filed a self-styled Motion Requesting the Courts to Address in Open Court and Forum the Issues of Racial Profiling and Civil Rights Violations that Mrs. Derri Theresa Thomas has Carried Out in this Proceeding Against Me [Doc. #43].

Mr. Constant has, in his various pleadings, made numerous accusations against Assistant United States Attorney Thomas, mainly revolving around questions that were asked during depositions. I have, however, filed a Report and Recommendation that Mr. Constant's Petition be dismissed under Fed.R.Civ.P. 12(b)(1), for lack of subject matter jurisdiction. That recommendation involves an issue of law based on undisputed procedural facts. Whatever did or did not happen at depositions or anywhere outside the courthouse has no bearing on my disposition of this case. Moreover, there is no legal basis for Mr. Constant's current request in the context of this case. There may be other fora where Mr. Constant might bring his complaints about AUSA Thomas, but this is not one of them.

Accordingly, Mr. Constant's Motion [Doc. #43] is DENIED.

IT IS SO ORDERED.

Dated: July 3, 2013

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on July 3, 2013, electronically and/or by U.S. mail.

s/Michael Williams
Relief Case Manager for the Honorable
R. Steven Whalen